

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL DEVIN FLOYD,

Plaintiff,

v.

SABER FITNESS HEGENBERGER, LLC,

Defendant.

Case No. [24-cv-01278-TSH](#)

**ORDER DENYING MOTION TO
APPOINT COUNSEL**

Re: Dkt. No. 137

On October 10, 2025, Plaintiff Michael Devin Floyd moved the Court to appoint advisory counsel to assist him during the bench trial scheduled to start on January 12, 2026, stating: “If counsel is appointed, I only seek that counsel in the form of advisory counsel or standby counsel. My past struggles with every lawyer who represented me prevent me from trusting another party to represent my interests in this lawsuit.” ECF No. 137. On October 16 the Court referred Plaintiff to the Federal Pro Bono Project for an assessment of eligibility for appointment of pro bono counsel. ECF No. 141. The Court has now been informed that, after meeting with Plaintiff, the Pro Bono Project has determined he is not eligible for counsel. Accordingly, the Court is unable to appoint pro bono counsel, and Plaintiff’s motion is **DENIED**. *See Palmer v. Valdez*, 560 F.3d 965, 970 (9th Cir. 2009) (“Generally, a person has no right to counsel in civil actions.”).

IT IS SO ORDERED.

Dated: October 21, 2025


THOMAS S. HIXSON
United States Magistrate Judge